

Mr. Gleason Romans
Pipe Line Patrol Company
P.O. Box 51283
Tulsa, OK 74151

Dear Mr. Romans:

This responds to your letter of March 8, 1974, concerning the requirement in 49 CFR 195.412 that rights-of-way be inspected at intervals not exceeding 2 weeks.

As you point out, weather conditions may cause inadvertent delays in inspections, resulting in a period between inspections of more than 2 weeks. Such delays, which are unforeseeable and beyond the control of the carrier, are excusable and would not be enforceable violations of the regulation. Likewise, the breakdown of an aircraft normally used to make inspections might be a sufficient excuse for delay, depending on the circumstances involved. It is important to note that a carrier must make every effort to comply with the inspection requirement, including planning for foreseeable events. Plans might provide for alternative means of inspection or inspection at an interval of less than 2 weeks where necessary to avoid a future delay.

We trust this satisfactorily answers your inquiry.

Sincerely,

/signed/

Joseph C. Caldwell
Director
Office of Pipeline Safety

March 8, 1974

Mr. Joseph C. Caldwell, Director
Office of Pipe Line Safety
Department of Transportation
Office of the Secretary
Washington, D. C. 20590

Dear Mr. Caldwell:

I think you have personal knowledge of our aerial pipe line patrol operation so I don't think it necessary to qualify our reasons for requesting an answer to a question.

We, and some of our customer folks have been living with a degree of anxiety as regards to the regulation requiring that liquid lines right-of-ways be inspected at intervals not exceeding two weeks.
(195.412-A)

In as much as you are yourself a pilot I am sure you understand that weather conditions at times will inadvertently cause delays in aerial patrol coverage over right-of-ways scheduled each two weeks and that more than 14 days will occur between inspections. We are asked quite frequently by people in the industry whether or not we have knowledge of an opinion or interpretations from your office in this matter.

All liquid lines under our patrol surveillance are scheduled weekly or each two weeks by our customer pipe line companies and should an excessive interval occur it would be because of weather or an aircraft problem that could not be overcome in time to meet the schedule.

Any opinion or interpretation you might afford us would be greatly appreciated.

Your truly,

Gleason Romans